

## DETAILED ACTION

### ***Claim Rejections - 35 USC § 103***

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1, 4, 16, 22, 23 and 26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Nagai (U.S. 5,982,153) in view of Turner (U.S. 2003/0169022) and in further view of Hayashi (U.S. 2002/0026594).

**Regarding claims 1, 16, 22, 23** Nagai discloses wherein an intelligent battery set to a computer to supply power to the computer by discharging after being charged, comprising: cell for supplying power through a predetermined power line (figure 2 item 5); a high capacity capacitor connected to the power line in parallel with the cell under a predetermined condition (figure 7 item C1); a switch for disconnecting or connecting the high capacity capacitor from or to the power line by a circuit, said switch series combination with said high capacity capacitor and said series combination of said switch and said high capacity capacitor being coupled in parallel with cell and the computer such that said cell, the computer, and said series combination share two common connections (figure 7 item SW3); a CPU for controlling operation of the switch (figure 2 item 12). Nagai does not expressly disclose a computer, but discloses a secondary battery (column 1 lines 9 - 14) system which may be used for a computer. Turner discloses a system

which is used for a computer [0043]. Nagai also discloses a capacitor, but does not disclose a high capacity capacitor. Turner discloses in paragraph [0044] wherein a super capacitor is used in parallel with the battery. Also, Turner discloses in figure 4 wherein the battery and load (computer) share two common nodes. It would have been obvious at the time of invention, to modify the Nagai system with the Turner system because, the structure of the Nagai system is very similar to circuit of the applicants and it only takes one of ordinary skill in the art to have a high capacity capacitor so as to provide charge to a large load such as a computer. Nagai and Turner disclose the invention as previously claimed, but do not disclose the remainder. Hayashi discloses in paragraphs [0113] – [0122] wherein the capacitor is disconnected with the computer enters a wake on LAN mode. The turned off mode may clearly represent a "power off" mode in which the wake on LAN mode takes over. Within this power off mode, it is obvious to one skilled in the art that within this "power off" mode that the power supply, capacitor and fuel cell will all be disconnected so that power is no longer provided to the computer. At the time of invention, it would have been obvious to a person of ordinary skill in the art to modify the Nagai system with the Hayashi system so that computer charged with excess current.

**Regarding claims 4 and 26,** Nagai discloses wherein the capacitor and the switch are integrated so that they can be set to the computer (column 1 lines 10 – 25: system is used for many electronic apparatus including computers). Nagai discloses the invention as previously claimed, but does not disclose a high

capacity capacitor nor wherein they can be set to the computer. Nagai discloses wherein the system is set to the rechargeable battery, which may be connected to a device. Turner discloses in paragraph [0044] wherein a super capacitor is used in parallel with the battery. Also, Turner discloses in figure 4 wherein the battery and load (computer) share two common nodes. It would have been obvious to a person of ordinary skill in the art to modify the Nagai system with the Turner system so that it may be used in other larger applications.

### ***Response to Arguments***

3. Applicant's arguments filed 2/28/2008 have been fully considered but they are not persuasive. **Regarding claims 1, 16, 22 and 23**, the applicant argues that the Nagai, Turner, and Hayashi reference do not teach disconnecting the high quality capacitor from the power line using the switch when the battery is disconnected from the power line when the computer is powered off, when the computer kept in a small-power-consumption mode and when the computer enters a wake on LAN mode. The turned off mode may clearly represent a "power off" mode in which the wake on LAN mode takes over. Within this power off mode, it is obvious to one skilled in the art that within this "power off" mode that the power supply, capacitor and fuel cell will all be disconnected so that power is no longer provided to the computer.

***Conclusion***

4. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Alexis Boateng whose telephone number is (571) 272-5979. The examiner can normally be reached on 8:30 am - 6:00 pm, Monday - Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ullah Akm can be reached on (571) 272-2361. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2838

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

AB

*/Bao Q. Vu/  
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